



FREDERICK

PLANNING

December 18, 2019

Ms. Cassie Benjamin
Eagle Title LLC
181 Harry S. Truman Parkway, Suite 200
Annapolis, MD 21401

Re: 19-1271ZD Zoning Determination: 2410 Monocacy Blvd.

Dear Ms. Benjamin:

In response to your letter dated December 11, 2019, Staff has prepared the following information:

1. The subject property is zoned GC, General Commercial, which is intended "to provide for a variety of retail use and services in free-standing parcels or shopping centers to serve the community's general commercial needs." The property also falls partially within the Highway Noise Overlay (HNO) district, which has no impact on non-residential properties.
2. The subject property contains the business known as Autozone. Under the Land Management Code (LMC), Table 404-1, the *Use Matrix*, the current use is classified as "Automobile Parts and Accessories" and is a permitted use in the GC zone. Permitted uses can operate on the site subject to compliance with all applicable regulations and in accordance with site plan and/or permit approvals.
3. The original site plan for the Autozone, case PC02-363FSI (converted to case #PC04-428FSI), was approved prior to the adoption of the 2005 LMC and in compliance with the 1986 Zoning Ordinance. A subsequent site plan, case STF14-59FSI, was approved for the purpose of changing the access to the property based on the redevelopment of the property on the opposite side of Monocacy Blvd. for the construction of a Walmart.
4. As noted, the site was originally developed in accordance with regulations previously in place and as such, should any features or structures that complied with the regulations in place at the time of their establishment no longer comply

with the current standards, those features/structures would be subject to the nonconformity provisions of Article 9 of the LMC.

Under Section 902 Nonconforming Structures:

- (a) An existing structure not conforming to maximum density, yard or height requirements of this Code may be continued so long as it remains otherwise lawful, provided no such structure shall be modified so as to increase its nonconformity or to make it less suitable for a permitted use in that district; and
- (d) In all other districts, any building destroyed, damaged, or deteriorated by any means to the extent of 50 percent or more of its market value, or if relocated, no such structure shall be reconstructed or relocated except in conformance with this Code.

- 5. Staff has no knowledge of any outstanding building or zoning violations against the property.

If you have any further questions please don't hesitate to contact me at (301) 600-1718 or preppert@cityoffrederickmd.gov.

The purpose of the service provided by the Zoning Administrator regarding determinations/interpretations is to identify the zoning of a particular property, to verify that a use is permitted or permissible in a specific Zoning District and to clarify and interpret the Land Management Code. Any questions regarding specific regulations and requirements for a site or sites' compliance with the Land Management Code not addressed in this letter shall not be the responsibility of the Zoning Administrator. It is the responsibility of the applicant, property owner and/or property purchaser to review the project site plan and the Land Management Code for compliance.

This determination applies solely to the referenced property and is not binding upon the City, the Zoning Administrator or any other official with respect to any other property. No person may rely upon this determination with respect to any property other than the referenced property. Please be advised that any person aggrieved, or any officer, department or agency of The City of Frederick affected by an order, requirement, decision, or determination made by an administrative officer in the administration or enforcement of the provisions of the Land Management Code may appeal said decision within thirty days to the Zoning Board of Appeals.

Sincerely,



Pam Reppert
City Planner

In Concurrence,



Joseph A. Adkins, AICP
Zoning Administrator/Deputy Director for
Planning

19-1271

EAGLE | TITLE LLC

181 Harry S. Truman Parkway, Suite 200
Annapolis, Maryland 21401
Telephone (410) 266-3600
Facsimile (410) 266-7699
www.eagletitlellc.com

December 11, 2019

VIA UPS GROUND

Frederick City
Planning Department
Attn: Jessica Murphy
140 W. Patrick Street
Frederick, MD 21701

RE: *Zoning Letter Request for 2410 Monocacy Blvd., Frederick, MD 21701*

Ms. Murphy:

I would like to request a zoning letter in order to confirm the current zoning of the above referenced property in preparation for sale. I have enclosed the SDAT information pages for additional reference. It appears that it is currently zoned under GC. The property currently has a commercial retail building. Please confirm that these uses will not violate the zoning restrictions and that there are no current violations at this point. Enclosed is a check in the amount of \$200.00 per our Zoning Letter request.

It would be greatly appreciated if you could email a copy of the letter to cbenjamin@eagletitlellc.com as soon as it is ready in addition to forwarding the original via US Mail.

Very truly yours,



Cassie M. Benjamin

Enclosure

Real Property Data Search

Search Result for FREDERICK COUNTY

| View Map | View GroundRent Redemption | View GroundRent Registration |
|--|---|---|
| Tax Exempt: None | | Special Tax Recapture: None |
| Exempt Class: None | | |
| Account Identifier: | | District - 02 Account Number - 220075 |
| Owner Information | | |
| Owner Name: | Q-C TRADING LANE LLC C/O AUTO ZONE #1149 | Use: Principal Residence: COMMERCIAL NO |
| Mailing Address: | PO BOX 2198, DEPT 8088 MEMPHIS TN 38103-2198 | Deed Reference: /04351/ 00721 |
| Location & Structure Information | | |
| Premises Address: | 2410 MONOCACY BLVD FREDERICK 21701-0000 | Legal Description: LOT 2 SECTION 1 38,140 SQ. FT. LYNCH SUBDIVISION |
| Map: 0057 | Grid: 0024 | Parcel: 0132 |
| Neighborhood: 30002.11 | Subdivision: 0000 | Section: 1 |
| Block: 2 | Lot: 2 | Assessment Year: 2018 |
| | | Plat No: 0063/ 0155 |
| Special Tax Areas: None | | Town: FREDERICK CITY |
| | | Ad Valorem: 104 |
| | | Tax Class: None |
| Primary Structure Built | Above Grade Living Area | Finished Basement Area |
| 2004 | 5,400 SF | Property Land Area 38,140 SF |
| | | County Use 000000 |
| Stories | Basement | Type |
| | | RETAIL STORE / |
| Exterior | Quality | Full/Half Bath |
| / | C2 | Garage |
| Value Information | | |
| | Base Value | Value |
| | | As of 01/01/2018 |
| Land: | 361,500 | 361,500 |
| Improvements | 435,600 | 452,300 |
| Total: | 797,100 | 813,800 |
| Preferential Land: | 0 | 808,233 |
| | | As of 07/01/2019 |
| | | As of 07/01/2020 |
| | | 813,800 |
| | | 0 |
| Transfer Information | | |
| Seller: TRADING LANE ASSOC. LLP | Date: 01/14/2004 | Price: \$385,000 |
| Type: ARMS LENGTH VACANT | Deed1: /04351/ 00721 | Deed2: |
| Seller: | Date: | Price: |
| Type: | Deed1: | Deed2: |
| Seller: | Date: | Price: |
| Type: | Deed1: | Deed2: |
| Exemption Information | | |
| Partial Exempt Assessments: | Class | 07/01/2019 |
| County: | 000 | 0.00 |
| State: | 000 | 0.00 |
| Municipal: | 000 | 0.00 0.00 |
| | | 0.00 0.00 |
| Tax Exempt: None | | Special Tax Recapture: None |
| Exempt Class: None | | |
| Homestead Application Information | | |
| Homestead Application Status: No Application | | |
| Homeowners' Tax Credit Application Information | | |